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FILED & ENTERED

AUG 29 2023

CLERK U.S. BANKRUPTCY COURT
Central District of California
BY may DEPUTY CLERK

7 [Proposed] Counsel to Bradley D. Sharp, Chapter 11 Trustee

8 UNITED STATES BANKRUPTCY COURT
9 CENTRAL DISTRICT OF CALIFORNIA
10 LOS ANGELES DIVISION

11 In re

Case No.: 2:23-bk-10990-SK

12 LESLIE KLEIN,

Chapter 11

13 Debtor.

14 **ORDER GRANTING MOTION OF**
CHAPTER 11 TRUSTEE AUTHORIZING
THE EXAMINATION OF BANK OF THE
WEST PURSUANT TO FED. R. BANKR. P.
2004

15
16 [No Hearing Required]

17 On August 3, 2023, Bradley D. Sharp, the duly appointed chapter 11 trustee (the “Trustee”),
18 filed his *Notice of Motion and Motion of Chapter 11 Trustee, for Order Authorizing the Examination*
19 *of Bank of the West Pursuant to Fed. R. Bankr. P. 2004; Memorandum of Points and Authorities;*
20 *Declarations of Bradley D. Sharp, Nicholas Troszak and Jeffrey P. Nolan in Support Thereof* (the
21 “Motion”) [Docket No. 233]. The Court, having considered the Motion, the accompanying
22 Memorandum of Points and Authorities, the Declarations in support of the Motion, the exhibit
23 thereto, and based on its review and consideration, the Court finds that (i) notice of the Motion was
24 adequate and appropriate, and no further or other notice need be given; (ii) the authority requested
25 by the Trustee to issue a subpoena substantially in the form identified in the Motion is appropriate;
26 and (iii) good cause exists to grant the Motion.

27 IT IS HEREBY ORDERED THAT:

28 1. The Motion is GRANTED in its entirety;

2. The Trustee is authorized, pursuant to sections 105(a) and 1106(a)(3) of title 11 of the United States Code (the “Bankruptcy Code”), Rules 2004 and 9016 of the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules”), and Local Bankruptcy Rule 2004-1, to issue and serve a subpoena substantially in the form attached to the Motion to compel the attendance of the Proposed Examinee, Bank of the West, for production and testimony on the dates stated therein or such other date as is mutually agreed between Bank of the West and the Trustee;¹

3. The Trustee shall serve the Rule 2004 Subpoena and a copy of this Order on (i) Bank of the West and (ii) the United States Trustee for the Central District of California and shall file with the Court an affidavit or declaration of service of the Rule 2004 Subpoena;

4. In the event of any discovery dispute in relation hereto, counsel and Bank of the West shall first meet and confer in an effort to resolve the dispute in accordance with Local Bankruptcy Rule 7026;

5. This order is without prejudice to the Trustee's right to file further motions seeking additional documents or testimony pursuant to Bankruptcy Rule 2004(a) or any other applicable Bankruptcy Rules; and

6. This Court shall retain jurisdiction to resolve any dispute arising from or related to this order, including any discovery disputes that may arise between or among the parties, and to interpret, implement and otherwise enforce the provisions of this order.

1

Date: August 29, 2023


Sandra R. Klein
United States Bankruptcy Judge

¹ Capitalized terms used herein shall have the same meanings ascribed to them in the Motion.